

## REMARKS

Claims 2, 4, 5, 7-10, 12-14, 16, and 18-20 remain pending in the present application. A list of claims has been provided for the benefit of the examiner.

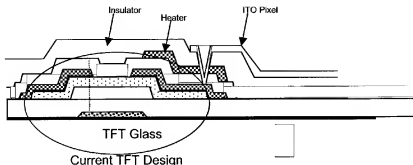
### Rejection under 35 USC §103(a)

Examiner has rejected claims 12-14 based on Ohnishi '834 in view of Terada '374. More specifically, Examiner states that Ohnishi discloses a heater layer (8) *integral* to the TFT array layer between the glass substrates to allow faster heating of the layer of liquid crystal (par. 0087). Examiner concedes that Ohnishi fails to disclose the heater layer is made of metal instead of the disclosed ITO. However, Examiner submits that Terada (col. 3, lines 24-26) teaches that the use of metals or ITO are considered art recognized equivalents. Applicant respectfully traverses the rejections of claims 12-14.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

Claim 12, and by dependence all the other pending claims as well, recite that "a metal heater layer is integral to said TFT array layer." (emphasis added). However, Applicant submits that Ohnishi's heater layer is not integral to the TFT layer.

An example of such an *integral* heater layer is shown in Applicant's Figure 11 and reproduced below.



The *integral* heater is further described in paragraph [0036]. Note carefully that Applicant's heater layer is actually *built into* and *lies between* elements of the TFT array layer (i.e., *integral*). In addition, the *integral* heater does not interfere with the pixel aperture and thus the viewed image. By integrating the heater into the TFT layer, the present invention eliminates the need for an independent heater layer.

Again Applicant stands by the argument that the *light-transmissive* temperature application section (8) of Ohnishi '834 is not integral with the TFT array layer. As shown in Fig. 3 of Ohnishi, the light-transmissive temperature application section is an independent layer altogether. Although Ohnishi '834 may have a heater element formed **on** the TFT substrate, this still does not equate to an *integral* heater.

In addition, Examiner states that Ohnishi '834 provides for the heater layer to be patterned onto the TFT substrate in the grid of intersecting horizontal and vertical lines. Applicant respectfully disagrees with Examiner's reading of the Ohnishi '834 patent. Paragraph [0036] of Ohnishi '834 calls for a temperature application section formed, by patterning, corresponding to a predetermined display area, wherein a display area refers to an area across pixels arranged in a matrix pattern. Applicant cannot find in this language where Ohnishi '834 provides for a heater layer in a grid pattern, either directly or through inference. While the pixels are in a matrix pattern the heater layer is simply applied to the pixel area. Although Examiner reads the word patterning to refer to a grid, one skilled in the art would not equate the it to a grid pattern. This definition is further supported by Ohnishi '834 in paragraph [0065] stating that the heater layer covers the entire surface area of the display. Ohnishi '834 does not teach or suggest that the heater layer can be patterned outside the active pixel aperture.

Furthermore, the addition of Terada '374 will not save the rejection. The combination of the of Ohnishi '834 and Terada '374 either separately or in combination fail to show a heater layer *integral* with the TFT layer or a heater layer in a grid pattern.

As to all other pending claims 2, 4, 5, 7-10, 16, and 18-20:

Applicant traverses all of these rejections on the basis that the Patent Office has failed to show that independent claim 12 is obvious. If an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Since all other pending claims depend from claim 12, Applicant respectfully submits that they are in condition for allowance. As to all pending claims, there is no reference showing "a metal heater layer is integral to said TFT array layer" (emphasis added). The additions of Takasu (for claims 18-20), Taniguchi et al and Shin et al (for claims 2, 4, 5, 7-10, and 16) does nothing to remedy this deficit.

Conclusion

The Applicant respectfully submits that the present application is now in condition for allowance and such action is earnestly requested. If a telephone interview is required to resolve any further issues, such a call from the Examiner is respectfully requested.

Respectfully submitted,

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